

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
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DATE FILED: 2/7/2020

MARVIN AGUILAR GARCIA,

Petitioner,

-against-

THOMAS DECKER, *et al.*,

Respondents.

20-CV-1047 (VEC)

ORDER

VALERIE CAPRONI, United States District Judge:

WHEREAS on February 6, 2020, Petitioner filed a Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 (Dkt. 1);

IT IS HEREBY ORDERED THAT:

1. Because the Petition raises both “core” challenges to physical detention and “non-core” challenges to removal proceedings, and because Petitioner is currently detained in New Jersey, the proper venue for this case is the District of New Jersey. *See S.N.C. v. Sessions*, 325 F. Supp. 3d 401, 409 (S.D.N.Y. 2018). No later than **February 14, 2020**, Petitioner must file an Amended Petition that omits all “core” challenges to Petitioner’s physical detention. *See id.* at 410. If Petitioner fails to do so, this case will be transferred to the District of New Jersey.
2. If this case remains in this District, Respondents will be required to file an answer or other response to the Petition no later than **March 13, 2020**.

SO ORDERED.

Dated: February 7, 2020
New York, New York

A handwritten signature in blue ink, appearing to read "Valerie Caproni", is positioned above a horizontal line.

VALERIE CAPRONI
United States District Judge